

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

ELAINE L. CHAO, Secretary of Labor, :
United States Department of Labor, :

Plaintiff, :

v. :

Civil Action
File No.

04-5692 (JAP)

NEW JERSEY LICENSED BEVERAGE
ASSOCIATION, INC.; MELVIN :
GITLER; ROBERT SCERBO; PHIL CITTA; :
WILLIAM CLEARY; ROBERT MARCIANI; :
JOSEPH ARDIRE; RICHARD BELLSHOT; :
JAMES HILL; MICHAEL MARSH; :
LEWIS ROTHBART; FRANK ZANOTTI; :
ANN SMULEWICZ; RANDY NORMAND; :
MARY ROENICK, STEPHAN DI TOMASSO; :
MIDLANTIC HEALTHCARE, INC.; :
NEW JERSEY LICENSED BEVERAGE :
ASSOCIATION EMPLOYEE WELFARE :
BENEFIT PLAN; :

Defendants.

ORDER ON ORAL MOTION

ORDER

WHEREAS, the following actions are related to Chao v. New Jersey Licensed Beverage Association, Inc., et al., Civil Action No. 04-5692 (JAP):

Professional Gastro Assoc. v. Klavrouziotis
Civil Action No. 04-242 (JAP)

Hackensack Radiology Group, et al. v. Taklif, et al.
Civil Action No. 05-5609 (DRD)

Sa-Vit Collection Agency, et al. v. Garubo, et al.
Civil Action No. 05-3993 (JAP)

Hospital and Doctors Service Bureau, et al v. Esposito, et al.
Civil Action No. 05-4957 (JAP)

ACB Receivables Management, et al. v. Taklif, et al.
Civil Action No. 05-4179 (JAP)

Northern Jersey ENT Assoc. v. NJ Licensed Beverage Assoc., Inc. et al.
Civil Action No. 05-4178 (JAP)

IT IS HEREBY ORDERED that:

1. Civil Action No. 04-242 (JAP), Civil Action No. 05-5609 (DRD), Civil Action No. 05-3993 (JAP), Civil Action No. 05-4957 (JAP) Civil Action No. 05-4179 (JAP) and Civil Action No. 05-4178 (JAP) are consolidated into Chao v. New Jersey Licensed Beverage Association, Inc., et al., Civil Action No. 04-5692 (JAP), *for all purposes.*

2. Chao v. New Jersey Licensed Beverage Association, Inc., et al., Civil Action No. 04-5692 (JAP) shall be the lead case for consolidation purposes.

3. Civil Action No. 04-242 (JAP), Civil Action No. 05-5609 (DRD), Civil Action No. 05-3993 (JAP), Civil Action No. 05-4957 (JAP) Civil Action No. 05-4179 (JAP) and Civil Action No. 05-4178 (JAP) are stayed for all purposes until further order of the Court.

~~4. The litigation of the Chao v. New Jersey Licensed Beverage Association, Inc., et al., Civil Action No. 04-5692 (JAP) shall continue as ordered by the Court.~~

5. The parties in Chao v. New Jersey Licensed Beverage Association, Inc., et al., Civil Action No. 04-5692 (JAP) are not required to serve copies of their motions, discovery, pleadings or any other documents upon the parties in Civil Action No. 04-242

(JAP), Civil Action No. 05-5609 (DRD), Civil Action No. 05-3993 (JAP), Civil Action No. 05-4957 (JAP) Civil Action No. 05-4179 (JAP) and Civil Action No. 05-4178 (JAP), unless so ordered by the Court.

6. At an appropriate time, the Court will consider an application by the parties to sever Chao v. New Jersey Licensed Beverage Association, Inc., et al. from Civil Action No. 04-5692 (JAP) from Civil Action No. 04-242 (JAP), Civil Action No. 05-5609 (DRD), Civil Action No. 05-3993 (JAP), Civil Action No. 05-4957 (JAP) Civil Action No. 05-4179 (JAP) and Civil Action No. 05-4178 (JAP).

DATED: Newark, New Jersey
April 3, 2006



MADELINE COX ARLEO
United States Magistrate Judge